

Amendment to the drawings:

Please approve new Fig. 8 showing at least two sensor elements. The drawings sheets have been relabeled accordingly.

Attachment: Replacement Sheets of the Drawings

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-20 remain in the application. Claims 1, 3 and 14 have been amended.

In item 1 on page 2 of the above-identified Office action, the drawings have been objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims.

More specifically, the Examiner has stated that the at least two sensor elements of claim 18 must be shown or the feature(s) cancelled from the claim(s).

A new Fig. 8 has been added to show at least two sensor elements. The corresponding part of the specification has been amended accordingly.

In item 2 on page 2 of the above-identified Office action, claim 3 has been objected to because of an informality. Appropriate correction has been made.

In item 4 on pages 2-3 of the above-mentioned Office action, claims 1-6, 12-13, and 19 have been rejected as being

anticipated by Kleinknecht et al. (US Pat. No. 4,141,780) under 35 U.S.C. § 102(b). In item 5 on pages 3-4 of the above-mentioned Office action, claims 1, 11, and 17 have been rejected as being anticipated by Kawai et al. (US Pat. No. 5,200,021) under 35 U.S.C. § 102(b).

The rejections have been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found in original claim 14.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

a light source;

a disk-shaped sensor element subjectable to deposition and growth of a deposition layer;

a light detector;

said sensor element having a first surface on one side of said sensor element, a second surface on an opposite side of said sensor element, and a region extending from said first surface to said second surface, said region being configured for light to pass through and to absorb light to a significantly lesser extent than a remaining part of said sensor element, an intensity of the light being measured in dependence on said region being grown over by a thickness of the deposition layer. (Emphasis added.)

The sensor element (4) according to claim 1 of the instant application is shown in Fig. 4. This is an orifice type sensor element where light passes through the opening of the orifice. The cited prior art references do not show a sensor element wherein the region configured to absorb light to a significantly lesser extent extends between surfaces on opposing sides of the disk-type sensor and wherein the light passes through the region. Kleinknecht et al. show a pattern of protruding elements and recessed elements, the surfaces of which are arranged on the same side of the sensor element. Kawai et al. show a substrate support 6 which is considered as a sensor element by the Examiner and which reflects the light. The region with different amount of light absorption between the support 6 and the wafer 1 is disposed on the same side of the sensor element 6, 1.

Clearly, none of the cited reference shows "said sensor element having a first surface on one side of said sensor element, a second surface on an opposite side of said sensor element, and a region extending from said first surface to said second surface, said region being configured for a light to pass through and to absorb light to a significantly lesser extent than a remaining part of said sensor element, an intensity of the light being measured in dependence on said

region being grown over by a thickness of the deposition layer", as recited in claim 1 of the instant application.

Claim 1 is, therefore, believed to be patentable over the art and since claims 2-6, 12-13, and 19 are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 7 on page 4 of the above-mentioned Office action, claim 16 has been rejected as being unpatentable over Kawai et al. under 35 U.S.C. § 103(a).

As discussed above, claim 1 is believed to be patentable over the art. Since claim 16 is dependent on claim 1, it is believed to be patentable as well.

In item 8 on pages 4-5 of the above-mentioned Office action, claims 7 and 20 have been rejected as being unpatentable over either Kleinknecht et al. or Kawai et al. in view of Chen et al. (US Pat. No. 6,071,375) under 35 U.S.C. § 103(a).

As discussed above, claim 1 is believed to be patentable over the art. Since claims 7 and 20 are dependent on claim 1, they are believed to be patentable as well.

Applicants acknowledge the Examiner's statement in item 9 on page 5 of the above-mentioned Office action that claims 8-10, 14-15, and 18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Part of the feature of claim 14 has been added to claim 1. Since claim 1 is believed to be patentable as discussed above and claims 8-10, 14-15, and 18 are ultimately dependent on claim 1, they are believed to be patentable in dependent form. A rewrite is therefore believed to be unnecessary at this time.

In view of the foregoing, reconsideration and allowance of claims 1-20 are solicited.

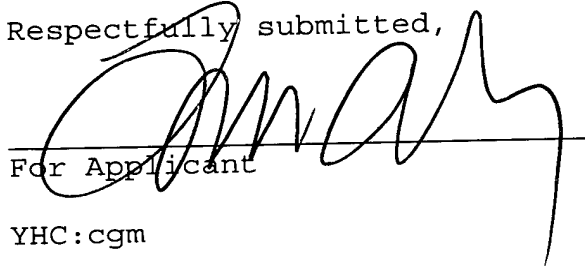
In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the

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Respectfully submitted,


For Applicant

LAURENCE A. GREENBERG
REG. NO. 29,308

YHC:cgm

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Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101